

10/526595

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FORM PTO-1390
(REV. 10-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

2885/94

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

INTERNATIONAL APPLICATION NO.

PCT/EP03/038594 09957

INTERNATIONAL FILING DATE

8 SEPTEMBER 2003

EARLIEST PRIORITY DATE CLAIMED:

6 SEPTEMBER 2002

TITLE OF INVENTION

RECONFIGURABLE SEQUENCER STRUCTURE

APPLICANT(S) FOR DO/EO/US

Martin VORBACH

Applicants herewith submit to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)) [UNSIGNED].
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☒ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information: PCT Request (Form PCT/RO/101); Search Report

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EXPRESS MAIL NO. : EV 320 192 594 US

U.S. APPLICATION NO. (if known, CFR 1.5)		37	INTERNATIONAL APPLICATION NO.:		JOURNEY'S DOCKET NUMBER:
UNKNOWN			PCT/EP/038500 PCT/EP03/7957		2885/94
The following fees are submitted:					
21. Basic National Fee		\$ 300.00	\$ 300.00		
22. Examination Fee - If International preliminary exam report prepared by USPTO and all claims satisfy provisions of PCT Article 33 (1)-(4).		\$ 100.00	\$		
Examination Fee - All other situations		\$ 200.00	\$ 200.00		
23. Search Fee - Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as ISA		\$ 100.00	\$		
International Search Report prepared and provided to the Office		\$ 400.00	\$ 400.00		
Search Fee - All other situations		\$ 500.00	\$		
TOTAL OF ABOVE CALCULATIONS			\$ 900.00		
Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing on computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
-100	/50=		x \$250	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	17 - 20 =	-0-	x \$50.00	\$	
Independent Claims	3 - 3 =	-0-	x \$200.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$ 900.00	
Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				-450.00	
SUBTOTAL =				\$ 450.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$ 450.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$ 450.00	
				Amount to be refunded:	\$
				Amount to be charged	\$
<p>a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>11-0600</u> in the amount of \$ <u>450.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>11-0600</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>					
<p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p>					
<p>SEND ALL CORRESPONDENCE TO: KENYON & KENYON One Broadway New York, New York 10004 CUSTOMER NO. 26646</p>					
<p>SIGNATURE MICHELLE M. CARNIAUX (Reg. No. 36,098) NAME 4 MARCH 2006 DATE</p>					

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Fax Transmission

From: Josephine Hardy (for Michelle Carniaux, Esq.)

Date: May 3, 2006

Direct Dial: 212.908.6437

Fax: 212.425.5288

Client/Matter: 2885/94

Total number of pages: 05
(including cover)

U.S. Pat. Appln. Ser. No. 10/526,595

Please deliver to:

Name	Fax
Ms. Patricia Booker	1-571-273-9830

PLEASE DELIVER THESE DOCUMENTS TO MS. PATRICIA BOOKER

Dear Ms. Booker:

Pursuant to your request, we enclose the following cover pages with the corrected PCT priority application number as follows:

- (1) 2 pages: Transmittal Letter under 35 U.S.C. 371;
- (2) 1 page: Information Disclosure Statement; and
- (3) 1 page: Response to Notification of Missing Requirements.

If you have any questions, please call:

Josephine Hardy
Legal Assistant to Michelle M. Carniaux
At 212-908-6437

☒ Original will not follow ☐ Original will follow by ☐ Air Mail ☐ Overnight Delivery ☐ Hand Delivery

The information contained in this facsimile transmission, including any attachments, is subject to the attorney-client privilege, the attorney work product privilege or is confidential information intended only for the use of the named recipient. If the reader of this Notice is not the intended recipient or the employee or agent responsible for delivering this transmission to the intended recipient, you are hereby notified that any use, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this transmission in error, please notify us immediately by telephone, so that we may arrange for its return or destruction at our cost. Thank you.

New York Washington, DC Silicon Valley www.kenyon.com

Applicant sent in Wipo # 038599 aa
Application Number

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE			
RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371		Docket Number: 2885/94	
		International Application No.: PCT/DE03/38599 EP03/09957	
Application Number 10/526,595	International Filing Date September 8, 2003	Examiner To be assigned	Art Unit To be assigned
Invention Title RECONFIGURABLE SEQUENCER STRUCTURE		Inventor(s) MARTIN VORBACH	

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

S I R:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed July 19, 2005, Applicant submits herewith (1) a fully executed Declaration (2 pages), in order to complete the filing requirements for the U.S. national phase of the above-identified PCT application. Applicant also encloses a copy of the Notification as required; and (2) an English translation of the application.

☐ The U.S. Patent and Trademark Office is authorized to charge the \$65.00 (small entity) fee to cover the surcharge for late filing of the Declaration to the Kenyon & Kenyon LLP Deposit Account No. 11-0600.

☐ The U.S. Patent and Trademark Office is authorized to charge the \$130.00 fee for filing the English translation later than 30 months from the priority date to the Kenyon & Kenyon LLP Deposit Account No. 11-0600. Should any additional fees be required, the U.S. Patent and Trademark Office is authorized to charge them to Deposit Account No. 11-0600.

☐ Applicant also encloses an executed Power of Attorney by Assignee of Entire Interest (1 page) with this paper, and requests that this Power of Attorney be made of record in the above-identified application.

PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. §1.136(a)

In addition, Applicant respectfully requests a four-month extension of time for responding to the Notice to File Missing Parts dated July 19, 2005, for which a two-month response period expiring on September 19, 2005 was set. The four-month extended period for response expires on January 19, 2006. The Commissioner is hereby authorized to charge payment of the five-month extension fee of \$795.00 to the deposit account of Kenyon & Kenyon LLP, deposit account number 11-0600.

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